

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

A dark colored LG cellphone bearing IMEI number: 352411430632185, located at HSI 3625 NW 56th St., Third Floor, Oklahoma City 73112

Case No. M-23- 304 -STE

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

See Attachment A

located in the Western District of Oklahoma, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.


The search is related to a violation of:

Code Section
21 U.S.C. § 841(a)(1)
21 U.S.C. § 846

Offense Description
Possession of a Controlled Substance with Intent to Distribute Drug Conspiracy

The application is based on these facts:
See attached Affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

Applicant's signature

JOSHUA DICKSON, SPECIAL AGENT

Printed name and title

Sworn to before me and signed in my presence.

Date: **May 5, 2023**

Lawton, OK

City and state: [REDACTED]

Shont. Erwin

Judge's signature

SHON T. ERWIN, U.S. MAGISTRATE JUDGE

Printed name and title

**THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Joshua Dickson, Special Agent with Homeland Security Investigations having been duly sworn, depose and state as follows:

1. I am currently employed as a Special Agent (SA) with Homeland Security Investigations (HSI) and have been so since May 2022. Formerly, I was a Border Patrol Agent with United States Border Patrol and had been so employed since October 2016. I hold a bachelor's degree in criminal justice from the State University of New York - Plattsburgh. I am currently assigned to HSI Oklahoma City, Oklahoma. My working experience has been augmented by training I received at the Federal Law Enforcement Training Center. As part of my investigative experience as an HSI Special Agent, I have executed search and arrest warrants, conducted physical surveillance, analyzed records documenting the purchase and sale of illegal drugs, and spoken with other local and federal law enforcement officers, regarding the manner in which drug distributors obtain, finance, store, manufacture, transport, and distribute their illegal drugs.

2. I am submitting this affidavit in support of four search warrants authorizing a search of four cellular telephones—(1) **Apple iPhone, Blue in Color, IMEI Number 356424109750267 (SUBJECT PHONE 1)**; (2) **Apple iPhone, Green in Color, IMEI Number 352846113578504 (SUBJECT PHONE 2)**; (3) **LG cellphone, Dark in Color, IMEI Number 352411430632185 (SUBJECT PHONE 3)**; and (4) **Apple iPhone, Purple in Color (SUBJECT PHONE 4)**. HSI has custody of the **SUBJECT PHONES** in

Oklahoma City, Oklahoma. I am submitting this affidavit in support of search warrants authorizing a search of the **SUBJECT PHONES** as described in each Attachment A for the items specified in each Attachment B, and to seize all items listed in each Attachment B as instrumentalities, fruits, and evidence of the aforementioned crimes.

3. Since this affidavit is being submitted for the limited purpose of securing search warrants, I have not included every fact known to me regarding this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to support the issuance of a search warrant. The information contained in this Affidavit is based upon my personal knowledge and observation, my training and experience, conversations with other law enforcement officers and witnesses, and review of documents and records.

BACKGROUND OF INVESTIGATION

4. On March 19, 2023, members of the Criminal Interdiction Team of Central Oklahoma (CITCO) observed a 2020 Honda Pilot traveling eastbound on I-40 near Council Road in Oklahoma City, Oklahoma. CITCO officers observed the vehicle commit numerous traffic violations. CITCO stopped the car on Portland Avenue, just south of I-40 in Oklahoma City, Oklahoma. When CITCO officers approached the vehicle, they observed two male subjects in the vehicle. The vehicle had a strong smell of marijuana. The driver was later identified as Rashad FUQUA and the passenger was later identified as Antonio EDWARDS.

5. Officers had the occupants exit the vehicle and used a state certified police K9 to conduct an open-air sniff of the vehicle. The K9 alerted to the odor of drugs and officers began to search the vehicle. In the trunk, CITCO officers observed a blue tote that contained large packages of suspected crystal methamphetamine. During the roadside search of the


vehicle, officers noted that two of the **SUBJECT PHONES** inside the vehicle were consistently receiving calls from a Tulsa, Oklahoma area code. Based on my training and experience, drug couriers are often tracked by individuals supervising their drug runs and an unexpected stop by the couriers' vehicle would likely prompt phone calls from anyone tracking that vehicle's movements. Following the roadside search, the vehicle and suspected narcotics were brought back to the CITCO office for further processing. In total, officers located ten heat sealed bundles of field-test positive methamphetamine totaling 101.4 pounds, three glass jars containing marijuana, and six MDMA pills within the vehicle.

6. The **SUBJECT PHONES** were taken from inside the vehicle was seized by CITCO and stored. On April 14, 2023, HSI Agent Timothy Pearse and I retrieved the **SUBJECT PHONES** from CITCO and brought them to the HSI Oklahoma City office where they were logged into the HSI Oklahoma City Evidence Vault.

7. Based on my training and experience, I am aware that individuals involved in trafficking illegal narcotics often use cell phones to maintain contact with other co-conspirators, including suppliers, transporters, distributors, and purchasers of illegal narcotics. Such cell phones and their associated memory cards commonly contain electronically stored information which constitutes evidence, fruits, and instrumentalities of drug trafficking offenses including, but not limited to, the phone directory and/or contacts list, calendar, text messages, e-mail messages, call logs, photographs, and videos.

8. Based on the above information, there is probable cause to believe that violations of 21 U.S.C. §§ 841(a)(1) have occurred, and that evidence, fruits, and instrumentalities of these offenses are located on the **SUBJECT PHONES**. Therefore, I respectfully request that this

Court issue a search warrant for the **SUBJECT PHONES**, described in **Attachment A**, authorizing the seizure of the items described in **Attachment B**.



JOSHUA DICKSON
Special Agent
Homeland Security Investigations

SUBSCRIBED AND SWORN to before me this 5th day of May, 2023.



SHON T. ERWIN
United States Magistrate Judge

ATTACHMENT A

DESCRIPTION OF DEVICES TO BE SEARCHED

A LG cellphone, Dark in Color, IMEI Number 352411430632185

ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

All records on the SUBJECT PHONE(s) described in Attachment A that relate to violations of law, including, specifically 21 U.S.C. § 846, Drug Conspiracy and or evidence of 21 U.S.C. § 841, Possession with intent to Distribute Controlled Substances. Your Affiant believes there are possibly text messages, contact information, photographs or other items communicated within this device that provide information about illegal activities which involves Rashad FUQUA and Antonio EDWARDS and/ or possible co-conspirators including:

1. Stored communications which are voice recordings/messages, text messages (SMS) and multimedia messages (MMS), emails and attachments, read or unread which relate to and provide evidence of criminal activity described in this affidavit;

2. Stored communications voice or text based located within downloadable messaging applications or social media applications

3. All internet usage history that may reveal evidence of drug trafficking, such as package tracking, internet mail communications, electronic payment receipts, etc.

4. Call logs/histories depicting incoming/outgoing numbers dialed to and from the above described telephone device which relate to and provide

evidence of the above described criminal activity and further described in this affidavit;

5. Internet World Wide Web (WWW) browser files including browser history, browser cache, browser favorites, auto-complete form history and stored passwords;

6. Contacts, address books and calendars, customer lists and related identifying information such as names, nicknames and/or monikers within the above described telephone device which relate to and provide evidence of the above described criminal activity and further described in this affidavit;

7. Photographs, audio/video recordings with their associated metadata relating to and which provide evidence of the above described criminal activity and further described in this affidavit;

8. Stored location information including global positioning system (GPS) data indicating coordinates, way points, tracks and locations in which the phone has traveled; and,

9. Data and user records/information, password(s) that would assist in identifying/confirming the owner(s)/user(s) of the above referenced property to be searched.